Application No.: 10/817,568
Amendment dated: February 15, 2006
Reply to Office Action dated: December 15, 2005

REMARKS/ARGUMENTS

Claims 1-19 are pending in the application. Claims 1-7 and 12-19 are rejected.

Claims 1-7 and 12-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nemoto et al., U.S. Patent No. 6,284,073 (hereinafter "Nemoto"), Kamigama et al., US 2002/0029461 (hereinafter "Kamigama"), and Johnson et al., U.S. Patent No. 6,640,423 (hereinafter "Johnson"). Claims 8-11 have been cancelled.

Claim Rejections under 35 U.S.C. §103

Claims 1-7 and 12-19 are rejected under 35 U.S.C. §103(a) as being unpatentable over Nemoto, Kamigama, and Johnson. Nemoto discloses a core slider mounting apparatus and a core slider mount method that can mount a core slider with high accuracy independently of variations in the manufacture of gimbals and jig disks. Kamigama generally discloses mounting a magnetic head slider with at least one thin-film magnetic head element on a suspension. (*See* Abstract). Johnson generally discloses an improved apparatus and method for the placement and bonding of a die on a substrate. (*See* Abstract).

As stated previously, applicants respectfully traverse these rejections, in part, because neither Nemoto, Kamigama, Johnson nor any combination thereof teaches or suggests a pitch static attitude and roll static attitude (PSA/RSA) monitor to take a first measurement of the PSA and RSA of the *micro-actuator* on the suspension, as recited in claims 1 and 12.

The Office Action relies on Kamigama, responding to Applicants assertion by stating:

> In response to Applicant's argument that Nemoto does not disclose that the PSA and RSA of the *microactuator* is not being controlled and bonded, a recitation of the intended

> use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. The previous rejection has been reworded and slightly changed to show that the structure of the apparatus is obvious over the previous applied references.

(*See* Office Action, pp.6-7).

This reading of the patent law does not apply to the previous case, as no structure is supplied in Kamigama. Kamigama states:

> [0044] Then, the suspension from which the defective magnetic head slider was removed *is checked* with respect to its load (load gram), its attitude angle (static pitch angle, static roll angle) and others so as to judge whether this suspension can be reused or not (step S6). If necessary, the load and the attitude angle may be appropriately adjusted. Then, a visual inspection for checking whether there is any damage in the appearance of the suspension or not is executed (step S7). [emphasis added]

(*See* Kamigama, page 3, paragraph 0044).

Kamigama does not describe what structure is used to check the attitude angle of the suspension. Therefore, Kamigama does not disclose a PSA/RSA monitor to take a first measurement of the PSA and RSA of the *micro-actuator* on the suspension.

Further, neither Nemoto, Kamigama, Johnson nor any combination thereof disclose a gap monitor to take a second measurement of a gap between the micro-actuator and the suspension as recited in claims 1 and 12. The Office Action does not claim that Kamigama and Johnson recite this feature, instead relying on Nemoto. The optical camera 7 of Nemoto does not disclose a gap monitor, contrary to the Office Actions assertions. The optical camera 7 of Nemoto is located above the worksite where the slider is coupled to the work piece, out of position for determining any gap.

Additionally, neither Nemoto, Kamigama, Johnson nor any combination thereof disclose a rotatable positioning tool to hold the micro-actuator and the slider in a position relative to the suspension for attachment and to adjust the position of the micro-actuator and the slider in response to the first and second measurements as recited in claims 1 and 12. The Office Action does not claim that Kamigama recites this feature, instead combining Johnson with Nemoto. Both the positioning catches 12 of Nemoto and the die holder of Johnson are for a single item (a slider for Nemoto and a die for Johnson). The rotatable positioning tool of the present invention holds two items, requiring a different configuration. Further, the movable die holder of Johnson does not place the dies into position for attachment, rather is used to place the dies in position for pickup by a transfer arm, rendering combination with the positioning catches 12 of Nemoto nonobvious to one of ordinary skill in the art.

Therefore, as all of these elements are missing from the cited prior art, claims 1 and 12 should be allowed. Applicants respectfully submit that claims 2-7 and 13-19 are allowable as depending from allowable base claims 1 and 12 given the arguments above.

Based on the arguments above, reconsideration and withdrawal of the rejection of claims 1-7 and 12-19 under 35 U.S.C. §103(a) is respectfully requested.

For all the above reasons, the Applicants respectfully submit that this application is in condition for allowance. A Notice of Allowance is earnestly solicited.

The Examiner is invited to contact the undersigned at (408) 975-7500 to discuss any matter concerning this application.

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The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. §1.16 or §1.17 to the deposit account of Kenyon & Kenyon, deposit account no. **11-0600.**

Respectfully submitted,

KENYON & KENYON LLP

Dated: February 15, 2006

By: _____
Sumit Bhattacharya
(Reg. No. 51,469)

KENYON & KENYON LLP
333 West San Carlos St., Suite 600
San Jose, CA 95110

Telephone: (408) 975-7500
Facsimile: (408) 975-7501